

Further misbranding, Section 502 (a), certain statements in other printed matter accompanying the devices were false and misleading since the devices were not an adequate and effective treatment for the conditions stated and implied, and the use of the devices would not fulfill the other promises of benefit stated and implied. The accompanying printed matter consisted of a leaflet entitled "Suggested Method of Treatment with Niagara Therapeutic, Reducing and Hand Units"; a case history letter, a letter beginning "I will answer the questions," and another letter beginning "We are truly concerned about you"; a circular entitled "Reduce at Home The Easy Niagara Way"; and a sales manual. The false and misleading statements in the printed matter represented and suggested that the devices were an adequate and effective treatment for overweight, head colds, high and low blood pressure, numbness of arms, extreme fatigue, hives; stiff knees, arms, and hands; pain in knees, sore feet, extreme nervous fatigue, migraine headaches, nervous tension, pallor, fungus growth on nails, arthritis, neuritis, insomnia, sinusitis, varicose veins, hemorrhoids, numbness and cold feet, periodic cramps, arteriosclerosis, atonic and spastic constipation, chronic phlebitis, catarrhal deafness, bronchitis, rhinitis, asthma, sciatica, myositis, general run-down conditions, and poor circulation; and that use of the devices would firm sagging facial muscles, remove double chin and wrinkles, insure the user normal good health, reduce the female generative organs to their normal nonpregnant size and condition, bring about normal menstruation, and lower the insulin requirement in diabetes. The devices were misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: September 29, 1950. The Niagara Mfg. & Distributing Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for relabeling, under the supervision of the Federal Security Agency.

DRUGS FOR VETERINARY USE

3260. Misbranding of Sal-Vet Concentrate and Sal-Vet Mineral Supplement.

U. S. v. 5 Cases, etc. (F. D. C. No. 29369. Sample Nos. 54791-K, 54792-K)

LABEL FILED: June 28, 1950, Southern District of Mississippi; amended libel filed July 12, 1950.

ALLEGED SHIPMENT: On or about March 3, 1950, by the Sal-Vet Mfg. Co., from Cleveland, Ohio.

PRODUCT: 5 cases, each containing 12 3-pound cartons, of a product designated as *Sal-Vet Concentrate*, and 3 90-pound drums of a product designated as *Sal-Vet Mineral Supplement*, at Canton, Miss., together with a number of accompanying leaflets entitled "How To Make Your Own Sal-Vet."

Examination disclosed that the product under both designations was of the same composition, and that it consisted essentially of limestone, approximately 67 percent; sulfur, 4.5 percent; Glauber's salt, 3.3 percent; iron sulfate, 2 percent; and charcoal; and that it contained no significant proportion of any animal feeding oil or linseed oil.

NATURE OF CHARGE: Misbranding, Section 502 (a), the following statements in the accompanying leaflets were false and misleading since the articles were not effective for the purposes stated and implied: "Sal-Vet will keep your livestock in the best of condition; worm free, strong and sturdy with resistance

power against sickness * * * by using Concentrate to make your own worm destroyer and conditioner tonic."

Further misbranding, Section 502 (a), the following statements in the labeling of the articles were false and misleading since the article contained no significant proportion, if any, of animal feeding oil or linseed oil: (Label) "Ingredients * * * Animal Feeding Oil" and (leaflet) "It consists of 100% Chemicals and Minerals, such as * * * Raw Linseed Oil."

DISPOSITION: September 21, 1950. Default decree of condemnation and destruction.

INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 3241 TO 3260

PRODUCTS

	N. J. No.		N. J. No.
Alcohol rubbing compound, iso-		Massage cream, Blanche Dun-	
propyl-----	3254, 3255	lap's -----	3258
Beatsol Rectifiers (drug)-----	3249	Mor-Hair scalp treatment-----	3258
Chorionic gonadotropin-----	3251	Niagara devices-----	3259
Devices -----	3256, 3259	Papaverine hydrochloride-----	3252
Dexedrine Sulfate tablets---	3241, 3247	Prophylactics-----	3256
Dunlap's, Blanche, massage		Sal-Vet Concentrate and Sal-Vet	
cream-----	3258	Mineral Supplement-----	3260
G & J Formula No. 701-----	3257	Seconal Sodium capsules-----	3244-3246
Gentian root-----	3250	Sulfamerazine tablets-----	3253
Gonadotropin, chorionic-----	3251	Sulfathiazole lozenges-----	3241
Hair and scalp preparations----	3258	tablets -----	3242, 3243
Isopropyl alcohol rubbing com-		Tuinal capsules-----	3241
pound-----	3254, 3255	Veterinary preparations-----	3260
Mammary extract-----	3248	Vitamin preparation-----	3257

SHIPPERS, MANUFACTURERS, AND DISTRIBUTORS

	N. J. No.		N. J. No.
Brown Palace Hotel Beauty		G & J Distributors:	
Sales:		Elemin and G & J Formula No.	
Blanche Dunlap's massage		701 -----	3257
cream and Mor-Hair scalp		G. & W. Laboratories:	
treatment-----	3258	Beatsol Rectifiers (drug)-----	3249
Dean Rubber Mfg. Co.:		Glade Spring Pharmacy. <i>See</i>	
prophylactics-----	3256	Dunn, M. A.	
Doerr, E. A.:		Hopkins & Hopkins Pharmaceu-	
sulfathiazole lozenges, Dexe-		tical Co., Inc.:	
drine Sulfate tablets, and		sulfamerazine tablets-----	3253
Tuinal capsules-----	3241	James, G. P.:	
Doerr's Drug Store. <i>See</i> Doerr,		Dexedrine Sulfate tablets-----	3247
E. A.:		James Drug. <i>See</i> James, G. P.	
Dunlap, Blanche, Inc.:		James Street Pharmacy, Inc.:	
Blanche Dunlap's massage		Seconal Sodium capsules-----	3246
cream and Mor-Hair scalp		Johnson, G. W.:	
treatment-----	3258	Seconal Sodium capsules-----	3245
Dunn, M. A.:		Johnson's Drug Store, Inc.:	
Seconal Sodium capsules-----	3244	Seconal Sodium capsules-----	3245

FEDERAL SECURITY AGENCY**FOOD AND DRUG ADMINISTRATION****NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG,
AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

3261-3280

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency, and include, where indicated, the results of investigations of the Agency, prior to the institution of the proceedings. Published by direction of the Federal Security Administrator.

PAUL B. DUNBAR, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., February 12, 1951

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*For presence of a habit-forming narcotic without warning statement, see Nos. 3265, 3266; omission of, or unsatisfactory, ingredients statements, Nos. 3265, 3267, 3269; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 3262-3266, 3269; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 3262-3266, 3278; labeling information not likely to be understood by the ordinary individual under customary conditions of purchase and use, No. 3267; cosmetics, actionable under the drug provisions of the Act, No. 3280.

**DRUG ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED
ACCORDING TO DIRECTIONS****DRUG FOR VETERINARY USE**

3261. Adulteration and misbranding of P-V-F-M. U. S. v. 69 Bottles * * *.
(F. D. C. No. 29719. Sample No. 85305-K.)

LABEL FILED: September 7, 1950, District of South Dakota.

ALLEGED SHIPMENT: During September or October 1949, by Dr. I. W. Martin, from Sibley, Iowa.

PRODUCT: 69 250-cc. bottles of *P-V-F-M* at Sioux Falls, S. Dak. Analysis showed that the product contained materially more sulfanilamide and materially less tyrothricin than declared upon the label. The article was strongly alkaline. It completely inactivated penicillin G almost immediately on contact.

LABEL, IN PART: "P-V-F-M A Vehicle for incorporating Penicillin G for treating Mastitis due to Streptococcus Agalactiae * * * Ingredients Sulfanilamide, 3 grs./fl. oz. Tyrothricin 4.7 mgms./fl. oz. Water * * * Manufactured by Nelson Laboratories, Sioux Falls, South Dakota."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess.

Misbranding, Section 502 (a), the label statement "A Vehicle for incorporating Penicillin G" was misleading since the article inactivated penicillin G almost immediately upon contact, and, further, the label statement "Manufactured By Nelson Laboratories, Sioux Falls, South Dakota" was false and misleading since the article was not manufactured by Nelson Laboratories, nor at Sioux Falls, S. Dak.; and, Section 502 (j), the article by reason of its alkalinity was dangerous to health when used as directed on the bottle label, namely, "* * * inject the entire contents of this bottle into one infected quarter through the teat canal. It may be * * * left in the quarter of dry cows."

DISPOSITION: October 17, 1950. Default decree of condemnation and destruction.

**DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE
DIRECTIONS OR WARNING STATEMENTS**

3262. Misbranding of Dexedrine Sulfate tablets. U. S. v. Mark Halsey Drug Stores, William C. Reynolds, Arthur D. Purswell, and James C. Richards.
Pleas of nolo contendere. Mark Halsey Drug Stores fined \$500; William C. Reynolds, Arthur D. Purswell, and James C. Richards each fined \$100.
(F. D. C. No. 29431. Sample Nos. 68012-K, 68015-K, 68016-K, 68095-K.)

INFORMATION FILED: July 15, 1950, Northern District of Texas, against Mark Halsey Drug Stores, a partnership, Lubbock, Tex., and William C. Reynolds, Arthur D. Purswell, and James C. Richards. The Mark Halsey Drug Stores was charged with causing the sales in each of the 4 counts of the information; William C. Reynolds was charged with the sale in count 1; Arthur D. Purswell was charged with the sale in counts 2 and 4; and James C. Richards was charged with the sale in count 3.

INTERSTATE SHIPMENT: On or about October 11, 1949, from Philadelphia, Pa., into the State of Texas, of quantities of *Dexedrine Sulfate tablets*.